

## Appendix 3.10

Letters of Support from Environmental Stakeholders



**From:** Dingley, John [<mailto:john.dingley@environment-agency.gov.uk>]  
**Sent:** 30 June 2014 13:53  
**To:** Moran, Joshua (Place)  
**Cc:** Smith, Lucy J  
**Subject:** RE: Stafford Western Access Route

Hi Joshua,

The EA has no further comment to make at this time in addition to our previous correspondence. As a statutory consultee the EA will review and comment upon the detailed Access Route design when a planning application is made. Whilst we foresee no major obstacles to the delivery of this scheme (from an EA perspective) we are happy to continue to work with Staffordshire County Council to ensure the proposed development is acceptable to all parties.

Many thanks.

John Dingley

**From:** Plan Cons Area Team (North Mercia) (NE)  
[mailto:Consultations.NorthMercia@naturalengland.org.uk]  
**Sent:** 27 June 2014 15:50  
**To:** Moran, Joshua (Place)  
**Cc:** Sargeant, Dean (Place); Chell, Annabel (Place); Steer, Eric (NE)  
**Subject:** RE: Stafford Western Access Route

Hi Joshua

Unfortunately at this point I am not able to issue an updated letter. Due to resource issues Natural England is no longer able to engage in pre application discussions outside of the framework of our discretionary advice service (DAS). Your consultants have begun the DAS process and requested historic survey data relating to Doxey and Tillington Marshes SSSI however we have not yet received a signed and returned contract to provide this information.

Any further discussions or pre application advice outside of the scope of advice already requested would require an additional request for DAS. More information about DAS and a request form can be found on our website [here](#)

Notwithstanding the above, the advice in our letter in relation to the previous scheme is likely to be similar to any advice given now. We would wish to see direct impacts on the SSSI minimised and seek restoration of the destroyed unit as well as other enhancements in the vicinity to mitigate the effects of the new road.

Additionally, I attach our response to the EIA scoping as it does include some comments you may find useful.

If you have any questions about this email please feel free to contact me.

Regards

Grady McLean  
Lead Adviser - Sustainable Development  
Natural England  
Parkside Court,  
Hall Park Way  
Telford,  
TF3 4LR

0300 060 0723

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09 MAY 2014

Mr Graham Allen  
Staffordshire County Council  
Planning, Policy & Development Control  
c/o Wedgwood Building (Block A)  
Tipping Street  
Stafford  
ST16 2DH

Direct Dial: 0121 625 6848  
Direct Fax: 0121 625 6821

Our ref: **W:** PA00324791  
Your ref: SCO.64/StaffordW  
estern

7 May 2014

Dear Mr Allen

**Request for Pre-application Advice**

**STAFFORD WESTERN ACCESS ROUTE, STAFFORD, STAFFORDSHIRE**

Thank you for your consultation of 2 May 2014 seeking our pre-application advice on plans for the above site. On the basis of the information provided, detailed below, it appears that the plans are likely to lead to an application for which English Heritage would be a statutory consultee. However, it is not possible or necessary for us to engage with every proposal which may affect the historic environment. On the basis of our understanding of the present scope of the work we do not feel that it is essential for us to participate in pre-application discussions. English Heritage therefore has no comment to make on these proposals. I recommend that you include a copy of this letter with any application made for these works.

It is important that the local planning authority is invited to give pre-application advice. Relevant amenity societies may also be able to assist and we recommend that you approach them. If, as the scheme develops, there are material changes to the proposals and their impact on the historic environment, please consult us again. Meanwhile, please contact me if you would like to discuss any matter further.

Yours sincerely

**Alan Taylor**  
Historic Buildings Inspector  
E-mail: alan.taylor@english-heritage.org.uk



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6820 Facsimile 0121 625 6821  
www.english-heritage.org.uk

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Date: 25 March 2010  
Our ref: SJ92 / STC  
Your ref: Stafford W-A-R



Highways Department  
Development Services Directorate  
Staffordshire County Council  
Riverway  
Stafford  
ST16 3TJ

Parkside Court  
Hall Park Way  
Telford  
TF3 4LR

T 0300 060 2967  
F 0300 060 2430

Dear Sirs

**S28I of the Wildlife and Countryside Act 1981 (as amended)**  
**Name SSSI: Doxey and Tillington Marshes**  
**Proposal: Stafford Western Access Route**  
**Location: Stafford**

I refer to the preferred option of the new road designed to improve access to the west of Stafford.

Sustainable Transport

Natural England considers that it is of paramount importance that the transport system seeks to protect and where possible enhance the natural environment including biodiversity, landscape, geodiversity and soils. Transport can directly and indirectly affect the natural environment and people's experience of it in the following ways:

- Land take by transport infrastructure, particularly roads, railways and airports, that causes loss of wildlife, habitats, natural features, landscape character and quality;
- Severance and fragmentation of habitat where a transport scheme creates a barrier and can also deter people from walking and cycling;
- Light and noise impacts on wildlife species and can reduce or destroy tranquillity;
- Emission of a wide range of air pollutants and the pollution of watercourses through run-off from roads;
- Wildlife mortalities;

- Use of non-renewable resources such as primary aggregates and land and fossil fuels;
- Traffic levels and congestion can undermine landscape character and quality.

Natural England would encourage your authority to include elements that will improve environmentally sustainable access to the natural environment for both local residents and visitors. More environmentally sustainable forms of access to the natural environment can deliver a range of benefits for people, the environment and the economy.

We feel that sustainable transport within Stafford is an important consideration and your authority should ensure that alternative measures to reduce car use and congestion have been fully considered. New developments within Stafford should aim to minimise the need for car use through scheme design to in order to minimise extra growth in traffic levels rather than providing greater provision for cars as a first instance. Innovative schemes should be considered such as the use of car clubs and efficient forms of public transport.

The proposed scheme could also provide areas of recreational use through the provision of foot and cycle paths both on the road itself and along the river to encourage more sustainable, active travel, particularly for short journeys, and could play a significant part in reducing traffic congestion and harmful emissions as well as providing safe routes for walkers.

As well as contributing towards sustainable transport additional facilities for walking and cycling these paths would also provide informal recreation opportunities to help improve the health and well-being of residents.

#### Doxey and Tillington Marshes SSSI

We accept that the route indicated (the green route) is the preferred option and this route would have a lesser adverse impact on the marshes than the red route.

Notwithstanding that, the route will have an impact on the Doxey and Tillington Marshes Site of Special Scientific Interest (SSSI). Areas to the north of the existing Doxey Road are likely to be significantly affected.

The SSSI unit affected includes areas within the SSSI which are currently car parks and cover approximately 1.4 hectares. Natural England would expect the areas to the west of the new road including areas of existing car parking outside of, but adjacent to the SSSI boundary to be returned to nature and enhanced significantly. This area, to the west of the proposed new road covers approximately 1.3 hectares and Natural England believes that enhancement to this area could function as an element of mitigation.

These enhancements could create areas of habitat and there is the potential for both marsh habitat and grassland. As a relatively accessible location this area could provide a suitable location for interpretation of the marshes. Staffordshire Wildlife Trust may be able to assist in designing an appropriate scheme in due course. A plan for the long-term managements of habitats would be required.

#### Design

We note that the proposed new route would cross several drains and watercourses. Where possible we would advise that these watercourses remain open rather than being placed in culvert. Additionally we note that a bridge is proposed over the River

Sow. We would expect the banks at this area of river to remain as natural as possible post construction so as not to act as a barrier to wildlife travelling along the river corridor. Existing culverted watercourses in the area should be restored to natural channels wherever possible.

We note that sections of the proposed road will be raised on embankments. This provides opportunities to enhance the biodiversity of the local area. An appropriate landscaping scheme could lead to these embankments becoming important wildlife corridors linking the marshes, the wider countryside and urban Stafford.

If you have any queries relating to the content of this letter, please contact me at the above address.

Yours sincerely

Grady McLean  
Environmental Planner  
Planning & Partnerships Team  
Regional Advocacy & Partnerships  
West Midlands Region  
Direct Dial: 0300 060 0723  
Mobile: 07881 835753  
e-mail: [grady.mclean@naturalengland.org.uk](mailto:grady.mclean@naturalengland.org.uk)



**From:** SMITH, Amanda [mailto:Amanda.Smith@english-heritage.org.uk]  
**Sent:** Tue 15/12/2009 16:00  
**To:** Sargeant, Dean (DSD)  
**Subject:** Stafford Western Access Improvements

Dear Mr Sargeant

My colleague Ian George was contacted with regard to the above scheme and a proposed consultation event on 3 December. Unfortunately due to the short notice a representative from English Heritage was unable to attend the event.

From the information provided in the consultation leaflet and via the County's website, our preferred route would be the green route option in view of the minimisation of impacts on the Doxey Marshes SSSI and surrounding townscape. As a general comment, in the further development of the scheme, opportunities should be maximised for integrated enhancements to the surrounding and linked townscape in addition to any mitigation measures associated with the SSSI.

Yours sincerely

Amanda Smith  
Regional Planner  
English Heritage (West Midlands)  
The Axis, 10 Holliday Street, Birmingham, B1 1TG  
Tel: 0121 6256851



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Mr Dean Sargeant  
Staffordshire County Council  
Development Service Directorate -  
Highways  
Highways House  
Riverway  
Stafford  
Staffordshire  
ST16 3TJ

**Our ref:** UT/2009/107302/01-L01  
**Your ref:** HoSH/W/JC/DRS/CDM0012  
**Date:** 13 January 2010

Dear Mr Sargeant

## **STAFFORD WESTERN ACCESS IMPROVEMENTS**

### **LAND BETWEEN DOXEY ROAD AND NEWPORT ROAD, STAFFORD**

Thank you for your consultation on the above scheme, which was received on 27 November 2009.

We understand that the deadline for consultation responses to be submitted has been extended, and as such hope you are still able to take our comments into account.

Having reviewed the options proposed we make the following comments:

#### Flood Risk

All four proposed road options will be located within the flood plain of the River Sow. All four options are also likely to be located within the highest risk Flood Zone 3b. This area is known as the functional flood plain, and is defined in Table D.1 of *Planning Policy Statement 25: Development and Flood Risk (PPS25)*.

We would consider the proposed Stafford Western Access Improvements to be classified as Essential Infrastructure as defined Table D.2 of PPS25. As such, the development would be acceptable in these locations, but only if the Sequential Test and Exception Test were passed.

In order to pass the Exception Test, it would need to be proven that:

- the development provides wider sustainability benefits to the community that outweigh flood risk;

Environment Agency  
9, Sentinel House Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

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- the development should be on previously developed land;
- a FRA must demonstrate that the development would be safe, without increasing flood risk elsewhere, and, wherever possible, will reduce flood risk overall.

Parts 1 and 2 of the Exception test would be for Stafford Borough Council to approve. However, part 2 may rule out your 'red' option as this is on previously developed land. We would suggest that there would be a reasonable alternative site on previously developed land for these road improvements, as required by the Sequential Test.

In order to satisfy part 3 of the Exception Test a Flood Risk Assessment (FRA) will need to be carried out. Your Authority will need to decide whether the FRA addresses all four options, or your final preferred option.

The FRA submitted will need to comply with Annex E of PPS25 and its accompanying current revision of the Practice Guide.

The new road will need to be raised above the 1 in 100 year flood plain level (plus an additional 20% for climate change). There would need to be careful consideration regarding the design of the new access road. If the road would be raised on embankments then there would need to be like for like, level for level flood plain compensation provided in the area which would lead to an overall increase in flood plain post development. If a raised road on columns is to be provided then compensation would still be required, but taking up less volume.

The PPS25 Sequential Test would need to be applied by the LPA, based on the Strategic Flood Risk Assessment for the district. This should ensure that there is no other alternative route for the road which lies at a lower risk of flooding, and that there is no reasonable alternative but to develop in the floodplain.

Given the complex flooding situation downstream on the River Sow, we would recommend that your Authority consider whether any new road could form a flood defence for Stafford town centre. This would need careful hydraulic consideration to ensure that flood risk was not increased to any other third party land which your Authority would not wish to be flooded in the future.

#### Biodiversity

All routes will require a bridge over the River Sow and minor watercourse crossings.

The Yellow route is the only one which misses the boundary of Doxey and Tillington Marshes Site of Special Scientific Interest (SSSI) and would have the least adverse impact on biodiversity. However the Green and Blue routes pass through an area of SSSI which has already been mostly 'destroyed' and these would be preferable to the Red route which has the potential for the most impact on the SSSI. We would regard the Red route as the least favourable route.

#### Contaminated Land

We have the following comments to make on these proposed road routes which relate solely to the protection of 'Controlled Waters'.

Reference to the 1:50,000 scale geological map Sheet 139 (Stafford) indicates that the site is located on Triassic Mercia Mudstone which is designated a 'Non Aquifer' by the Environment Agency. Superficial Alluvium and Glaciofluvial deposits are

indicated for the site which are designated as 'Minor-Aquifers' by the Environment Agency. The routes cross Doxey Drain, Pan's Drain and the River Sow. All of the routes except the Yellow one cross part of Doxey and Tillington Marshes SSSI.

The western end of the Red, Blue and Green routes partially cross a historic landfill. Additionally a significant proportion of all of the routes cross previously developed and potentially brownfield sites. Consequently in line with guidance given in *Planning Policy Statement 23: Planning and Pollution Control (PPS23)* any planning application should be supported by a Preliminary Risk Assessment. This should be conducted in accordance with guidance given in the document 'Model Procedures for the Management of Land Contamination' (Environment Agency CLR11, 2004).

The Preliminary Risk Assessment should identify the potential for contamination and possible risks to 'Controlled Waters' receptors (in this case the groundwater in the underlying Minor Aquifers, the surface watercourses and the SSSI). Such a risk assessment is likely to include:

- A summary report which indicates the current and former uses of the site (usually referring to an Envirocheck – or similar – report).
- Discussion of the risks posed by the site to 'Controlled Waters' receptors i.e. conclusions regarding the possible/likely sources of contamination that may be present based on the desk study and walkover, the likely contaminant pathways and the potential 'Controlled Waters' receptors.
- Consideration of potential options to deal with any risks posed by the site to 'Controlled Waters' receptors e.g. breaking the source-pathway-receptor linkage. This does not need to be a full remedial options appraisal but does need to demonstrate that the developer understands the issues that may be encountered and the possible scale of remediation.

Providing that the route brought forward adequately considers the risk to Controlled Waters as described above, and undertakes any required remediation, we have no preference to the route chosen in terms of risk to Controlled Waters.

We would be happy to be involved in any further discussions regarding the selection of a preferred option and the design of the final scheme.

Yours sincerely

**Mr Richard Austen**  
**Planning Liaison Team Leader**

Please ask for: Jane Field

Direct Dial: 01543 404878

Direct Fax: 01543 444161

Direct email: [jane.field@environment-agency.gov.uk](mailto:jane.field@environment-agency.gov.uk)

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Ms Annabel Chell  
Transport Strategy Manager  
Staffordshire County Council  
Highways House  
Riverway  
Stafford  
Staffordshire  
ST16 3TJ

**Our ref:** UT/2009/107302/02-L01  
**Your ref:** CDM0012/BC00/01  
**Date:** 03 June 2010

Dear Ms Chell

## **STAFFORD WESTERN ACCESS - WATER ASSESSMENT**

### **LAND BETWEEN DOXEY ROAD AND NEWPORT ROAD, STAFFORD**

Thank you for your email of 14 May 2010.

The Environment Agency have reviewed your water assessment for the preferred 'Green route' undertaken in support of your Major Scheme Business Case, and have the following comments to make about issues which should be considered when undertaking detailed design of these proposals and further assessing the impact of this development on the wider water environment.

#### Flood Risk

The Environment Agency would not wish to see the further culverting of the Doxey Drain towards the western end of the proposed route via the currently proposed embankment. The Environment Agency oppose the culverting of any watercourse in principle as we consider it beneficial for watercourses to remain open wherever possible for both flood defence and environmental purposes. Culverting can further exacerbate the risk of flooding and increase the maintenance requirements for a watercourse. It also destroys wildlife habitats, damages a natural amenity and reduces the continuity of the linear habitat of a watercourse.

The Environment Agency does not generally allow floodplain compensation to be undertaken for development proposed within Flood Zone 3b (the Functional Floodplain) as is proposed here. As such, the raised sections of the road should be designed such that any supporting columns are removed from the functional floodplain. As previously stated, any columns within Flood Zone 3a should be adequately compensated for on a level for level basis to ensure that there is no

Environment Agency  
Sentinel House, 9 Wellington Crescent, Fradley Park, Lichfield, Staffordshire, WS13 8RR.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

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detriment to flood risk in this locality. Please note that given the errors within floodplain modelling, and compensation calculations, we will be seeking significant conservative margins/betterment with regard to such compensation to ensure that there will be no adverse impacts on the floodplain for the lifetime of the development.

### Surface Drainage

The Environment Agency will have a keen interest in the proposed surface water drainage scheme for the new road, to see how it will ensure that the water quality of the receiving watercourses is not diminished in line with the European Water Framework Directive. We strongly support the use of Sustainable Drainage (SuDS) techniques and the principles set out in the industry guidance Ciria 697 – The SUDs Manual. The appropriate number of treatment trains, and making space for water, should be sought within this project. An assessment of the SuDS hierarchy should be included to ensure the best possible system is provided, utilising as many green/open drainage features as possible. Such features tend to provide better resultant water quality, as well as obvious significant amenity and biodiversity benefits. Please note that many of the green/open drainage options within C697 do not require connection to the groundwater system (i.e. infiltration) if this is shown not to be possible.

Although the surface water from the highway will ultimately discharge to a water course, a consent to discharge would not be required from the Environment Agency. The surface water run off is likely to have some contaminants present from the highway, i.e. silt, residual oils etc. The impact of these trace contaminants on the receiving water course should be minimised further by implementing a secondary containment system such as deep sealed trapped gullies, further to the use of SuDS.

### Pollution Prevention

Before commencing any construction work near to the minor watercourse and the River Sow, the Environment Agency's Pollution Prevention Guidance note 5, (PPG5) should be referred to (For Works or Maintenance on or near water, please see part C in particular.) A full risk assessment should be carried out to ensure that all reasonable measures are taken to prevent any water pollution. Where that is not possible, any impact on the River Sow must be minimised. Suspended solids are likely to be the main pollutant in the instance. We would request that more details are provided on the specific engineering works nearer the time, for our comments/consultation.

### Environmental Permitting Requirements

If this construction process involves the importation of waste hardcore/aggregate material an environmental permit or possibly an exemption, will have to be applied for and registered with us. A standard rules permit can not be registered if the site is within 500 metres of a SSSI though so this option may only be viable for a restricted area of the project. If this is a viable option the standard rules permit that would be applicable is a SR2010No7 or SR2010 No8 (application forms can be found on the Environment Agency website). The relevant exemption would be a U1. From April 2010 the exemptions have changed, and the quantities of waste which can be imported under a U1 exemption, which replaced the former paragraph 19, have been significantly reduced. Please note though, that if road planings are imported for the construction of a road, the limit is 50,000 tonnes. The U1 exemption is valid for 3 years only, after which time it will be de registered unless the applicant renews it.

A full environmental risk assessment would be required for an Environmental Permit application and we would advise that one is also done for the U1 exemption

application also. The imported wastes may also have to be analysed to ensure they are not contaminated due to the sensitive location of this site. Waste transfer notes for all imported waste would have to be maintained for the life time of the site to ensure full traceability of the waste.

Another viable option may be to import Quality Protocol material or quarry Products. The handling of these materials should be done in such a way to minimise any pollution i.e. dust suppression may be required.

#### Contaminated Land

Having reviewed the proposals in light of the proposed development over historic landfills, the Environment Agency can confirm that we find the conclusions of your document regarding the potential impacts of the construction and operation of the road on 'Controlled Waters' receptors appear to be reasonable based on the currently available information. As noted in the document further detailed investigation and assessment will be required.

Please note that these comments relate solely to the protection of 'Controlled Waters'.

#### Biodiversity

Any water crossing will require consent from the Environment Agency - we will be looking for designs that have minimal impacts on the watercourses. The proposed embankment across low lying land around the Doxey Drain will require some work to make sure that impacts on the watercourse and habitat are mitigated for. The proposed location for the bridge over the River Sow would appear to require tree removal - the proposals should ensure that the bridge is designed to allow for biodiversity gain and not loss.

For example trees must be replaced, but 'bricks' could be incorporated in to the bridges structure, there must be space for large mammals to move along the river banks under the bridge in high flows.

Biodiversity issues/impacts on the Doxey and Tillington Marshes SSSI should be dealt with by Natural England.

Yours sincerely

**Mr James Kitchen**  
**Team Leader - Planning Liaison**

Please ask for: Jane Field

Direct Dial: 01543 404878

Direct Fax: 01543 444161

Direct email: [jane.field@environment-agency.gov.uk](mailto:jane.field@environment-agency.gov.uk)